

**A CONFIRMING RESOLUTION designating an
"Economic Revitalization Area" under I.C. 6-1.1-12.1 for
property commonly known as 3801 Option Pass, Fort
Wayne, Indiana 46818 (Truck Maintenance, Inc.)**

WHEREAS, Common Council has previously designated and declared by Declaratory Resolution the following described property as an "Economic Revitalization Area" under Section 153.02 of the Municipal Code of the City of Fort Wayne, Indiana, of 1993, as amended and I.C. 6-1.1-12.1, to wit:

Attached hereto as "Exhibit A" as if a part herein; and

WHEREAS, said project will create three full-time, permanent jobs and two part-time, permanent jobs for a total additional payroll of \$96,680, with the average new annual job salary being \$19,336 and retain 20 full-time, permanent jobs and two part-time, permanent jobs for a current annual payroll of \$614,632, with the average current annual job salary being \$27,938; and

WHEREAS, the total estimated project cost is \$150,000; and

WHEREAS, recommendations have been received from the Committee on Finance; and

WHEREAS, notice of the adoption and substance of said Resolution has been published in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 and a public hearing has been conducted on said Resolution; and

WHEREAS, if said Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, The Fort Wayne Redevelopment Commission has adopted a Resolution approving the designation.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA:**

SECTION 1. That, the Resolution previously designating the above described property as an "Economic Revitalization Area" is confirmed in all respects.

SECTION 2. That, the hereinabove described property is hereby declared an "Economic Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this Resolution and shall terminate on December 31, 2005.

SECTION 3. That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall apply to a deduction of the assessed value of real estate.

SECTION 4. That, the estimate of the number of individuals that will be employed or whose employment will be retained and the estimate of the annual salaries of those individuals and the estimate of the value of redevelopment or rehabilitation, all contained in Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably expected to result from the proposed described redevelopment or rehabilitation.

1 **SECTION 5.** The current year approximate tax rates for taxing units within the
2 City would be:

- 3 (a) If the proposed development does not occur, the approximate current year tax
4 rates for this site would be \$9.0773/\$100.
5 (b) If the proposed development occurs and no deduction is granted, the
6 approximate current year tax rate for the site would be \$9.0773/\$100 (the
7 change would be negligible).
8 (c) If the proposed development occurs, and a deduction percentage of fifty percent
9 (50%) is assumed, the approximate current year tax rate for the site would be
10 \$9.0773/\$100 (the change would be negligible).

11 **SECTION 6.** Pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction
12 from the assessed value of the real property shall be for a period of three years.

13 **SECTION 7.** The benefits described in the Petitioner's Statement of Benefits can be
14 reasonably expected to result from the project and are sufficient to justify the applicable
15 deductions.

16 **SECTION 8.** For real property, a deduction application must contain a performance
17 report showing the extent to which there has been compliance with the Statement of Benefits
18 form approved by the Fort Wayne Common Council at the time of filing. This report must be
19 submitted to the Allen County Auditor's Office, and the City of Fort Wayne's Department of
20 Economic Development and must be included with the deduction application. For
21 subsequent years, the performance report must be updated within sixty days after the end of
22 each year in which the deduction is applicable.

23 **SECTION 9.** The performance report must contain the following information

- 24 A. The cost and description of real property improvements.
25 B. The number of employees hired through the end of the preceding calendar year
26 as a result of the deduction.
27 C. The total salaries of the employees hired through the end of the preceding
28 calendar year as a result of the deduction.
29 D. The total number of employees employed at the facility receiving the deduction.
30 E. The total assessed value of the real property deductions.
31 F. The tax savings resulting from the real property being abated.

32 **SECTION 10.** That, the taxpayer is non-delinquent on any and all property tax due
33 to jurisdictions within Allen County, Indiana.

34 **SECTION 11.** That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that
35 has received a deduction under section 3 or 4.5 of this chapter may be required to repay the
36 deduction amount as determined by the county auditor in accordance with section 12 of said
37 chapter if the property owner ceases operations at the facility for which the deduction was
38 granted and if the Common Council finds that the property owner obtained the deduction by
39 intentionally providing false information concerning the property owner's plans to continue
40 operation at the facility.

SECTION 12. That, this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Member of Council

APPROVED AS TO FORM A LEGALITY

J. Timothy McCaulay, City Attorney

EXHIBIT "A" TO AGREEMENT TO PURCHASE IMPROVED REAL ESTATE

The real estate located in Allen County, Indiana, more particularly described as follows:

Parcel I:

East 400 feet of Lot 28, Edgewood Industrial Park, Block C, in Allen County, Indiana, according to the recorded Plat thereof as found in the Office of the Recorder of Allen County, Indiana.

Parcel II:

West 53 feet of Lot 28, Edgewood Industrial Park, Block C, in Allen County, Indiana, according to the recorded plat thereof as found in the office of the Recorder of Allen County, Indiana.

Read the first time in full and on motion by Belmidt,
and duly adopted, read the second time by title and referred to the
Committee on Finance (and the City Plan Commission
for recommendation) and Public Hearing to be held after due legal notice, at
the Common Council Council Conference Room 128, City-County Building, Fort
Wayne, Indiana, on Tuesday, the 9th day of
September, 1997, at 5:30 o'clock
M., E.S.T.

DATED:

8-26-97

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Belmidt,
and duly adopted, placed on its passage. PASSED 1997
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>9</u>			
BENDER	<u>✓</u>			
CRAWFORD	<u>✓</u>			
EDMONDS	<u>✓</u>			
HALL	<u>✓</u>			
HAYHURST	<u>✓</u>			
HENRY	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			

DATED:

9-9-97

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. B-62-97
on the 9th day of September, 1997

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Thomas P. Henry
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 10th day of September, 1997,
at the hour of 11:30 o'clock A. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 10th day of September,
1997, at the hour of 7:00 o'clock P. M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE: Confirming Resolution

DEPARTMENT REQUESTING ORDINANCE: Department of Economic Development

SYNOPSIS OF ORDINANCE: This is to confirm the designation of an Economic Revitalization Area for Truck Maintenance, Inc. for real property improvements in the amount of \$150,000. In order to expand, Truck Maintenance will add four new full service repair bays and some storage area.

EFFECT OF PASSAGE: The effect of passage is the creation of five new jobs and the retention of 22 existing jobs.

EFFECT OF NON-PASSAGE: The effect of non-passage is the loss of five new jobs and the potential loss of the 22 existing jobs.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS): No expenditures of public funds required.

ASSIGNED TO COMMITTEE (PRESIDENT): John Crawford

BILL NO. R-97-08-30

REPORT OF THE COMMITTEE ON FINANCE

DONALD J. SCHMIDT - JOHN N. CRAWFORD - CO-CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS
REFERRED AN ~~XXXXXXXX~~ (RESOLUTION) designating an "Economic
Revitalization Area" under I.C. 6-1.1-12.1 for property commonly
known as 3801 Option Pass, Fort Wayne, Indiana 46818 (Truck Maintenance,
Inc.)

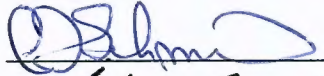
HAVE HAD SAID ~~(ORDINANCE)~~ (RESOLUTION) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
~~(ORDINANCE)~~ (RESOLUTION)

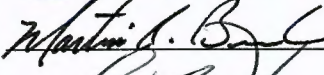
DO PASS

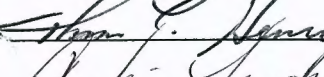
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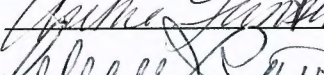
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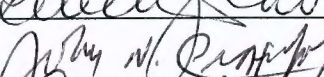
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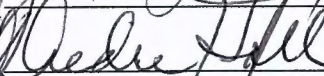


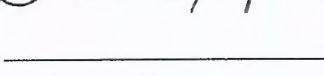














DATED: 9-9-97.

Sandra E. Kennedy
City Clerk



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221 • FAX 219-427-1371

SANDRA E. KENNEDY, CITY CLERK

August 27, 1997

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of August 30, 1997, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Legal Public Hearings
Bill Nos. R-97-08-29 & R-97-08-30
Bill Nos. R-97-08-31 & R-97-08-32
Bill Nos. R-97-08-33 & R-97-08-34

Economic Revitalization Areas

Please send us 3 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 3

NOTICE OF PUBLIC HEARING
FORT WAYNE
COMMON COUNCIL

(RESOLUTIONS NO. R-97-08-33 AND R-97-08-34)

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA, APPROVED A RESOLUTION ON 8/26/97,
DATE
DESIGNATING PROPERTY AT 720 Taylor Street, Fort Wayne, Indiana,
(Comcast Cablevision)

AN ECONOMIC REVITALIZATION AREA. A DESCRIPTION OF THE AFFECTED
AREA CAN BE INSPECTED IN THE COUNTY ASSESSOR'S OFFICE.

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER
THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND
CONFIRMED OR RESCINDED ON Tuesday, September 9, 1997, at 5:30 P.M.

DATE, TIME & PLACE
Common Council Conference Room 128, 1st Floor, City-County Building
Fort Wayne, IN

IF CONFIRMED, SAID DESIGNATING SHALL CONTINUE FOR ONE (1)
YEAR AFTER CONFIRMATION.

ALL INTEREST PERSONS ARE INVITED TO ATTEND AND BE HEARD
AT THE PUBLIC HEARING.

"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN
DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH STATE AND
FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION"
SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219)427-1120, TTY
(219)427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE
MEETING.

SANDRA E. KENNEDY
CITY CLERK

FW COMMON COUNCIL
(Governmental Unit)

To: **The News-Sentinel** Dr.
P.O. Box 100
Fort Wayne, IN

ALLEN County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

41 lines, 1 columns wide equals 41 equivalent lines
at .364 cents per line

\$ 14.92

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 15.92

DATA FOR COMPUTING COST

Width of single column 12.5 ems
Number of insertions 1
Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: AUG 30, 19 97

Title: Julie L Smith Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Allen County)

Personally appeared before me a notary public in and for said county and state, the

SANDRA E. KENNEDY
CITY CLERK
#503512

8-30 of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time 8-30-97, the dates of publication being as follows:

Subscribed and sworn to before me this 30th day of AUG, 19 97.

Mary L Schneider
Notary Public

MARY L SCHNEIDER
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXP JUNE 14, 2001

My commission expires:

Legal Notice
NOTICE OF PUBLIC HEARING
FORT WAYNE
COMMON COUNCIL
RESOLUTIONS NO. R-97-08-29 AND R-97-08-30
NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, APPROVED A RESOLUTION ON 8/26/97, DESIGNATING PROPERTY AT 3801 OPTION PASS, FORT WAYNE, INDIANA (Truck Maintenance, Inc.)
An Economic Revitalization Area. A description of the affected area can be inspected in the county Assessor's Office.
Common Council will conduct a public hearing on whether the above described resolution should be confirmed, modified and confirmed or rescinded on Tuesday, September 9, 1997 at 5:30 p.m., Common Council Conference Room 128, 1st Floor, City-County Building.
If confirmed, said designating shall continue for one (1) year after confirmation.
All interest persons are invited to attend and be heard at the public hearing.
"Reasonable Accommodations" for persons with a known disabling condition will be considered in accordance with state and federal law. Any person needing a "Reasonable Accommodation" should notify public information office (219) 1120, TTY (219) 427-1200, At least seventy-two (72) hours prior to the meeting.

FW COMMON COUNCIL
(Governmental Unit)

To: The Journal-Gazette Dr.
P.O. Box 100
Fort Wayne, IN

ALLEN County, Indiana

PUBLISHER'S CLAIM

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TOTAL AMOUNT OF CLAIM \$ 15.92

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Date: AUG 30, 19 97 Title: Julie L Smith Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L SMITH who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time, the dates of publication being as follows:

8-30-97
Julie L Smith
Subscribed and sworn to before me this 30th day of AUG, 19 97.

Mary L Schneider
Notary Public
MARY L SCHNEIDER
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXP JUNE 14, 2001

My commission expires:

NOTICE OF PUBLIC HEARING
FORT WAYNE
COMMON COUNCIL

(RESOLUTIONS NO. R-97-08-29 AND R-97-08-30)
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SANDRA E. KENNEDY
CITY CLERK
#503512

8-30